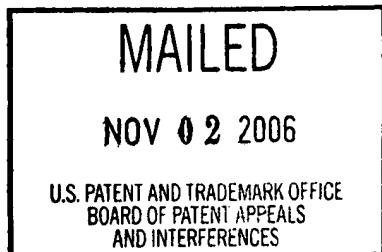


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte JASON MAY and IAN FLINT

Application No. 09/577,434

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 20, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Information Disclosure Statement (IDS) on August 5, 2002. The examiner has not signed and dated nor initialed next to the documents listed on the form 1449 of the IDS.

Additionally, Appellants filed an IDS on May 16, 2002. The examiner has not signed and dated nor initialed next to the documents listed on Sheet 6 of 10 of the form 1449 of the IDS.

Appellants also filed an IDS on May 22, 2002. It is not clear from the record whether the IDS has been properly considered by the examiner as we are unable to locate the corresponding form 1449 of the IDS in the application Image File Wrapper (IFW).

Application No. 09/577,434

The Manual of Patent Examining Procedure (MPEP) § 609(C)(2) (Eighth Ed.) in regards to Information Disclosure Statements filed by applicants states in part.:

Examiners must consider all citations submitted in conformance with the rules and this section, and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO-1449 or PTO/SB/08A and 08B provides a clear record of which citations have been considered by the Office. The examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.

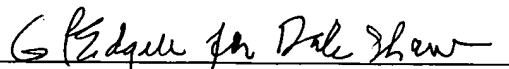
Accordingly, it is

ORDERED that the application is being returned to the Examiner:

- (a) for the examiner to sign and date the form 1449 of the IDS filed August 5, 2002, and to mail a copy of the signed IDS to appellants,
- (b) for the examiner to sign and date page 6 of 10 of the IDS filed May 16, 2002, and to mail a copy of the signed and dated page to appellants,
- (c) for the examiner to have a copy of the signed and dated 1449 of the IDS filed May 22, 2002 scanned into the application's IFW, and to mail a copy of the signed and dated page to appellants, and
- (d) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


DALE M. SHAW
Acting Chief Appeals Administrator
(571) 272-9797

DMS/vsh

Application No. 09/577,434

cc: SCHWEGMAN, LUNDBERG,
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